

U.S. District Court
United States District Court for the Western District of Washington (Seattle)
CIVIL DOCKET FOR CASE #: 2:18-cv-00655-JLR

Mora-Villalpando v. US Immigration and Customs Enforcement et al
Assigned to: Judge James L. Robart
Cause: 05:552 Freedom of Information Act

Date Filed: 05/04/2018
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Maria Mora-Villalpando

represented by **Khaled Alrabe**

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V.

Defendant

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Defendant**US Customs and Border Protection**

represented by **Brian C Kipnis**
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Sarah K Morehead
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ATTORNEY TO BE NOTICED

Defendant**United States Citizenship and Immigration Services**

represented by **Sarah K Morehead**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Brian C Kipnis
(See above for address)
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|-------------------|--|
| 05/04/2018 | 1 | COMPLAINT <i>for Declaratory and Injunctive Relief</i> against All Defendants (Receipt # 0981-5305802) Attorney Devin T Theriot-Orr added to party Maria Mora-Villalpando(pty:pla), filed by Maria Mora-Villalpando. (Attachments: SEALED DOCUMENT # 1 Exhibit 1)(Theriot-Orr, Devin) Modified on 6/8/2018 to seal Exhibit 1 due to sensitive personal identifiers. Redacted Exhibit REFILED as Dkt. 17 . (PM). (Entered: 05/04/2018) |
| 05/04/2018 | 2 | CIVIL COVER SHEET ; filed by Plaintiff Maria Mora-Villalpando. (Attachments: # 1 Summons, # 2 Summons)(Theriot-Orr, Devin) (Entered: 05/04/2018) |
| 05/04/2018 | 3 | APPLICATION OF ATTORNEY Elizabeth G. Simpson FOR LEAVE TO APPEAR PRO HAC VICE for Plaintiff Maria Mora-Villalpando (Fee Paid) Receipt No. 0981-5306536 (Theriot-Orr, Devin) (Entered: 05/04/2018) |
| 05/04/2018 | 4 | APPLICATION OF ATTORNEY Khaled Alrabe FOR LEAVE TO APPEAR PRO HAC VICE for Plaintiff Maria Mora-Villalpando (Fee Paid) Receipt No. 0981-5306543 (Theriot-Orr, Devin) (Entered: 05/04/2018) |

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| 05/04/2018 | 5 | ORDER re 3 Application for Leave to Appear Pro Hac Vice. The Court ADMITS Attorney Elizabeth G Simpson for Plaintiff Maria Mora-Villalpando, by Clerk William M McCool. No document associated with this docket entry, text only. <i>NOTE TO COUNSEL: Local counsel agrees to sign all filings and to be prepared to handle the matter, including the trial thereof, in the event the applicant is unable to be present on any date scheduled by the court, pursuant to LCR 83.1(d).(DS)</i> (Entered: 05/04/2018) |
| 05/04/2018 | 6 | ORDER re 4 Application for Leave to Appear Pro Hac Vice. The Court ADMITS Attorney Khaled Alrabe for Plaintiff Maria Mora-Villalpando, by Clerk William M McCool. No document associated with this docket entry, text only. <i>NOTE TO COUNSEL: Local counsel agrees to sign all filings and to be prepared to handle the matter, including the trial thereof, in the event the applicant is unable to be present on any date scheduled by the court, pursuant to LCR 83.1(d).(DS)</i> (Entered: 05/04/2018) |
| 05/07/2018 | | Hon. Mary Alice Theiler added. (RE) (Entered: 05/07/2018) |
| 05/07/2018 | 7 | Summons(es) electronically issued as to defendant(s) US Customs and Border Protection, US Immigration and Customs Enforcement (Attachments: # 1 Summons)(RE) (Entered: 05/07/2018) |
| 05/08/2018 | 8 | AFFIDAVIT of Mailing of Summons and Complaint to all Defendants on 5/8/2018, filed by Plaintiff Maria Mora-Villalpando. (Attachments: # 1 Exhibit A)(Theriot-Orr, Devin) (Entered: 05/08/2018) |
| 05/08/2018 | 9 | NOTICE OF ASSIGNMENT TO A US MAGISTRATE JUDGE AND DECLINATION OF CONSENT FORM. If declining consent, return the executed form by 6/19/2018. Please Note: Forms must <u>not</u> be electronically filed with the Court. (KMP) (Entered: 05/08/2018) |
| 05/08/2018 | | ***NOTICE TO PARTIES*** re 9 Consent Form. This district has adopted an opt-out consent procedure. Each party will be deemed to have knowingly and voluntarily CONSENTED to proceed before the assigned Magistrate Judge UNLESS the consent form is returned by the due date indicating lack of consent. Plaintiff's counsel (or Plaintiff, if pro se) is directed to serve a copy of the consent form on counsel for any party subsequently appearing within five (5) days of an appearance of counsel for that party. (KMP) (Entered: 05/08/2018) |
| 05/08/2018 | 10 | ORDER REGARDING INITIAL DISCLOSURES, JOINT STATUS REPORT AND EARLY SETTLEMENT by Hon. Mary Alice Theiler. Joint Status Report due by 6/19/2018, FRCP 26f Conference Deadline is 6/5/2018, Initial Disclosure Deadline is 6/12/2018. (KMP) (Entered: 05/08/2018) |
| 05/24/2018 | 11 | NOTICE of Appearance by attorney Brian C Kipnis on behalf of Defendants US Customs and Border Protection, US Immigration and Customs Enforcement. (Kipnis, Brian) (Entered: 05/24/2018) |
| 05/24/2018 | 12 | NOTICE of Appearance by attorney Sarah K Morehead on behalf of Defendants US Customs and Border Protection, US Immigration and Customs Enforcement. (Morehead, Sarah) (Entered: 05/24/2018) |
| 05/25/2018 | 13 | MINUTE ORDER REASSIGNING CASE by William M. McCool. Case reassigned to U.S. District Judge John C Coughenour for all further proceedings. Hon. Mary Alice Theiler no longer assigned to case. Cc to JCC. (KMP) (Entered: 05/25/2018) |
| 05/29/2018 | | ** The Court orders the preliminary case management dates set by the magistrate judge vacated and new case management dates will be established at a Status Conference to be scheduled by U.S. District Judge John C. Coughenour in light of this matter reassigned on 4/25/2018. ** (PP) (Entered: 05/29/2018) |
| 05/29/2018 | 14 | ORDER REGARDING DISCOVERY AND DEPOSITIONS by U.S. District Judge John C. Coughenour. (PP) (Entered: 05/29/2018) |

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| 05/29/2018 | 15 | MINUTE ENTRY re: STATUS CONFERENCE. The attorney who will be responsible for trying the case, or that attorney's representative, should attend the conference and be prepared to discuss the following matters at the conference: 1. An estimate of the number of days needed for trial; 2. The date by which the case will be ready for trial; 3. Whether the parties intend to mediate per LCR 39.1 and, if so, when the parties expect to complete mediation; If counsel's office is outside of the Greater Metropolitan Seattle area, local counsel should attend on behalf of non-local counsel. If local counsel is unavailable, non-local counsel may make arrangements to participate telephonically in the conference by contacting the Courtroom Deputy Clerk at Paul_Pierson@wawd.uscourts.gov at least TEN (10) DAYS in advance of the proceeding. Counsel do NOT need to file a Joint Status Report or Rule 26(f) Report in advance of the Status Conference. Counsel should plan on arriving 10-15 minutes early to check in with the Courtroom Deputy Clerk as the Court's calendar begins promptly at 9:00 a.m. COUNSEL OR THE PRO SE PARTY WHO FILED THIS MATTER SHALL IMMEDIATELY NOTIFY ALL PARTIES OF THE DATE AND TIME OF THE SCHEDULED STATUS CONFERENCE. A Status Conference is set for 8/28/2018 at 9:00 AM in Courtroom 16206 before U.S. District Judge John C. Coughenour. (PP) Modified on 5/30/2018 re spelling correction (PP). (Entered: 05/29/2018) |
| 06/07/2018 | 16 | AMENDED COMPLAINT against All Defendants, filed by Maria Mora-Villalpando. (Attachments: # 1 SEALED Exhibit Exhibit 1, # 2 Summons USCIS Summons)(Alrabe, Khaled) Modified on 6/8/2018 to seal due to sensitive personal identifiers(PM). (Entered: 06/07/2018) |
| 06/08/2018 | | NOTICE TO FILER: re 16 Exhibit 1 to Amended Complaint. Document contains personal identifiers (passport number) that must be redacted pursuant to FRCP 5.2 and LCR 5.2. You are required to re-file a redacted version of your document using the event " Redacted Document " located in the Other Documents category. This event will allow you to link back to your original filing and will not affect your original filing date. Pursuant to FRCP 5.2 and LCR 5.2, the document has been administratively sealed by the Court. (PM) (Entered: 06/08/2018) |
| 06/08/2018 | 17 | REDACTION to 16 Amended Complaint by Plaintiff Maria Mora-Villalpando (Alrabe, Khaled) (Entered: 06/08/2018) |
| 06/08/2018 | | NOTICE of Docket Text Modification re 1 Complaint: SEALED Exhibit 1 due to sensitive personal identifiers. Counsel refiled redacted Exhibit 1 as Dkt. 17 . (PM) (Entered: 06/08/2018) |
| 06/08/2018 | 18 | Summons Electronically Issued as to defendant US Citizenship and Immigration Services. (PM) (Entered: 06/08/2018) |
| 06/11/2018 | 19 | MINUTE ORDER REASSIGNING CASE. Case reassigned to Judge James L. Robart for all further proceedings. U.S. District Judge John C Coughenour no longer assigned to case. All future documents filed in this case must bear the cause number C18-655-JLR . Authorized by U.S. District Judge John C Coughenour. (TH) (Cc to JLR) (Entered: 06/11/2018) |
| 06/21/2018 | 20 | MOTION to Strike re 16 Amended Complaint <i>Notice of Motion and Defendants' Motion to Strike</i> , filed by Defendants US Citizenship and Immigration Services, US Customs and Border Protection, US Immigration and Customs Enforcement. (Attachments: # 1 Proposed Order) Noting Date 7/20/2018, (Kipnis, Brian) Modified on 6/22/2018 to remove duplicate word - motion(PM). (Entered: 06/21/2018) |
| 06/21/2018 | 21 | DECLARATION of Sarah K. Morehead filed by Defendants US Citizenship and Immigration Services, US Customs and Border Protection, US Immigration and Customs Enforcement re 20 MOTION Motion to Strike re 16 Amended Complaint <i>Notice of Motion and Defendants' Motion to Strike</i> (Morehead, Sarah) (Entered: 06/21/2018) |
| 06/29/2018 | 22 | NOTICE of Stricken Scheduling Conference on 8/28/2018. The court will issue a new Joint Status Report scheduling order. (AD) (Entered: 06/29/2018) |
| 07/05/2018 | 23 | ORDER REGARDING INITIAL DISCLOSURES AND JOINT STATUS REPORT by Judge James L. Robart. Joint Status Report due by 8/9/2018, FRCP 26f Conference Deadline is 7/19/2018, Initial Disclosure Deadline is 8/2/2018. (AD) (Entered: 07/05/2018) |
| 07/16/2018 | 24 | RESPONSE, by Plaintiff Maria Mora-Villalpando, to 20 MOTION to Strike re 16 Amended Complaint <i>Notice of Motion and Defendants' Motion to Strike</i> . (Alrabe, Khaled) (Entered: 07/16/2018) |
| 07/20/2018 | 25 | REPLY, filed by Defendants US Customs and Border Protection, US Immigration and Customs Enforcement, TO RESPONSE to 20 MOTION to Strike re 16 Amended Complaint <i>Notice of Motion and Defendants' Motion to Strike</i> (Kipnis, Brian) (Entered: 07/20/2018) |

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| 07/23/2018 | 26 | ORDER denying Defendants' 20 Motion to Strike. Signed by Judge James L. Robart. (PM) (Entered: 07/23/2018) |
| 08/07/2018 | 27 | JOINT STATUS REPORT signed by all parties estimated Trial Days: 0. (Alrabe, Khaled) (Entered: 08/07/2018) |
| 08/10/2018 | 28 | ANSWER to 16 Amended Complaint <i>Answer to First Amended Complaint</i> by US Citizenship and Immigration Services, US Customs and Border Protection, US Immigration and Customs Enforcement. (Kipnis, Brian) (Entered: 08/10/2018) |
| 08/10/2018 | | Attorney Sarah K Morehead for US Citizenship and Immigration Services added; per 28 Answer to Amended Complaint. (SWT) (Entered: 08/13/2018) |
| 08/22/2018 | 29 | MINUTE ENTRY entered at the direction of Judge James L. Robart re: the parties' Joint Status Report (Dkt. # 27). The parties are directed to confer and file a proposal with specific dates for the resolution of this case. If no agreement is reached, the parties may file rival proposals. Proposal to be filed within 7 days of the date of this entry. (AD) (Entered: 08/22/2018) |
| 08/29/2018 | 30 | RESPONSE by Plaintiff Maria Mora-Villalpando re 29 Minute Order, <i>Joint Proposed Order for Deadlines</i> (Alrabe, Khaled) (Entered: 08/29/2018) |
| 08/30/2018 | 31 | STIPULATION AND ORDER for Deadlines signed by Judge James L. Robart. Defendants to produce any additional documents responsive to Plaintiff's FOIA requests by September 21, 2018; By October 22, 2018, Defendants shall prepare a Vaughn Index and serve it on Plaintiff; By November 5, 2018, Plaintiff shall review the Index and indicate to Defendants, which, if any, document withholdings it chooses to challenge; Defendants to file their motion for summary judgment on the remaining withholdings and any additional remaining issues on 12/17/2018. (PM) (Entered: 08/30/2018) |
| 09/24/2018 | 32 | NOTICE of Change of Address/Change of Name of Attorney Khaled Alrabe. Filed by Plaintiff Maria Mora-Villalpando. (Alrabe, Khaled) (Entered: 09/24/2018) |
| 12/13/2018 | 33 | Stipulated MOTION <i>and Proposed Order for a One Week Extension</i> , filed by Defendants US Customs and Border Protection, US Immigration and Customs Enforcement, United States Citizenship and Immigration Services. Noting Date 12/13/2018, (Morehead, Sarah) (Entered: 12/13/2018) |
| 12/13/2018 | 34 | STIPULATION AND ORDER for extension of deadlines re parties' 33 Stipulated Motion: Defendants will file their motion for summary judgment by 12/24/2018. Signed by Judge James L. Robart. (SWT) (Entered: 12/13/2018) |
| 12/21/2018 | 35 | MOTION for Summary Judgment , filed by Defendants US Customs and Border Protection, US Immigration and Customs Enforcement, United States Citizenship and Immigration Services. Noting Date 3/1/2019, (Morehead, Sarah) (Entered: 12/21/2018) |
| 12/21/2018 | 36 | DECLARATION of Toni Fuentes filed by Defendants US Customs and Border Protection, US Immigration and Customs Enforcement, United States Citizenship and Immigration Services re 35 MOTION for Summary Judgment (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4) (Morehead, Sarah) (Entered: 12/21/2018) |
| 01/08/2019 | 37 | Stipulated MOTION <i>and Proposed Order for a Two Week Extension</i> , filed by Plaintiff Maria Mora-Villalpando. Noting Date 1/8/2019, (Alrabe, Khaled) (Entered: 01/08/2019) |
| 01/08/2019 | 38 | STIPULATION AND ORDER for extension to file response and cross-motion for summary judgment re parties' 37 Stipulated Motion, signed by Judge James L. Robart. (SWT) (Entered: 01/08/2019) |
| 02/04/2019 | 39 | CROSS-MOTION AND RESPONSE re 35 MOTION for Summary Judgment ., filed by Plaintiff Maria Mora-Villalpando. (Attachments: # 1 Exhibit) Noting Date 3/15/2019, (Alrabe, Khaled) (Entered: 02/04/2019) |
| 02/26/2019 | 40 | Stipulated MOTION <i>and Proposed Order for an Extension</i> , filed by Defendants US Customs and Border Protection, US Immigration and Customs Enforcement, United States Citizenship and Immigration Services. Noting Date 2/26/2019, (Morehead, Sarah) (Entered: 02/26/2019) |
| 02/26/2019 | 41 | STIPULATION AND ORDER for extension re parties' 40 Stipulated Motion: ICE deadline to file response to plaintiff's cross-motion for summary judgment is extended to 4/5/2019, plaintiff will file reply by 4/19/2019. Signed by Judge James L. Robart. (SWT) Modified docket text on 2/27/2019 (SWT). (Entered: 02/26/2019) |

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| 02/27/2019 | | NOTICE of Docket Text Modification re 41 Order on Stipulated Motion : Docket text modified to state "ICE deadline to file response to plaintiff's cross-motion for summary judgment is extended to 4/5/2019, plaintiff will file reply by 4/19/2019." (SWT) (Entered: 02/27/2019) |
| 03/18/2019 | 42 | NOTICE of Change of Address/Change of Name of Attorney Devin T Theriot-Orr. Filed by Plaintiff Maria Mora-Villalpando. (Theriot-Orr, Devin) (Entered: 03/18/2019) |
| 04/05/2019 | 43 | RESPONSE, by Defendants US Customs and Border Protection, US Immigration and Customs Enforcement, United StatesCitizenship and Immigration Services, to 39 CROSS-MOTION AND RESPONSE re 35 MOTION for Summary Judgment .. (Morehead, Sarah) (Entered: 04/05/2019) |
| 04/05/2019 | 44 | DECLARATION of Toni Fuentes filed by Defendants US Customs and Border Protection, US Immigration and Customs Enforcement, United StatesCitizenship and Immigration Services re 39 CROSS-MOTION AND RESPONSE re 35 MOTION for Summary Judgment . (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4)(Morehead, Sarah) (Entered: 04/05/2019) |
| 04/09/2019 | 45 | PRAECIPE to attach document re 44 Declaration of Toni Fuentes <i>in Support of Defendants' Response to Plaintiff's Motion for Summary Judgment</i> re 39 CROSS-MOTION AND RESPONSE re 35 MOTION for Summary Judgment . by Defendants US Customs and Border Protection, US Immigration and Customs Enforcement, United StatesCitizenship and Immigration Services (Attachments: # 1 Declaration of Toni Fuentes in Support of Defendants' Response to Plaintiff's Motion for Summary Judgment, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C)(Morehead, Sarah) Modified on 4/11/2019 to create docket entry relationship (SWT). (Entered: 04/09/2019) |
| 04/19/2019 | 46 | REPLY, filed by Plaintiff Maria Mora-Villalpando, TO RESPONSE to 39 CROSS-MOTION AND RESPONSE re 35 MOTION for Summary Judgment . (Alrabe, Khaled) (Entered: 04/19/2019) |
| 04/22/2019 | 47 | NOTICE OF WITHDRAWAL OF COUNSEL: Attorney Elizabeth G Simpson for Plaintiff Maria Mora-Villalpando. (Simpson, Elizabeth) (Entered: 04/22/2019) |
| 04/24/2019 | 48 | NOTICE of Intent to File Surreply and Surreply to Strike a Portion of Dkt. #46 re 46 Reply to Response to Motion ; filed by Defendant US Immigration and Customs Enforcement. (Morehead, Sarah) (Entered: 04/24/2019) |